

ESTTA Tracking number: **ESTTA732314**

Filing date: **03/09/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant:	<b>Sparkes Wellness LLC</b>
Application Serial Number:	<b>86762668</b>
Application Filing Date:	<b>09/21/2015</b>
Mark:	<b>TONE &amp; TUNE UP</b>
Date of Publication	<b>02/16/2016</b>

## **First 90 Day Request for Extension of Time to Oppose for Good Cause**

Pursuant to 37 C.F.R. Section 2.102, TUNE UP FITNESS WORLDWIDE, INC., 12400 VENTURA BLVD., #325, STUDIO CITY,, CA 91604, UNITED STATES, a corporation organized under the laws of UNITED STATES , respectfully requests that it be granted a 90-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 03/17/2016. TUNE UP FITNESS WORLDWIDE, INC. respectfully requests that the time period within which to file an opposition be extended until 06/15/2016.

Respectfully submitted,  
/Matthew H. Swyers/  
03/09/2016

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